

AF-1616 \$

PTO/SB/31 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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**NOTICE OF APPEAL FROM THE EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)

60153-USA-DIV1

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on 1/28/04

Signature Margaret Christy

Typed or printed name Margaret Christy

In re Application of

Wenhua W. Wang

Application Number  
10/007,328

Filed  
November 8, 2001

For Novel Process to Prepare Microencapsulated Formulations

Art Unit  
1616

Examiner  
Neil S. Levy

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ 330.00

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ \_\_\_\_\_

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 06-1440 I have enclosed a duplicate copy of this sheet.

☐ A petition for an extension of time under 37 CFR 1.36(a) (PTO/SB/22) is enclosed.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

☐ applicant/inventor.  
☐ assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

☐ attorney or agent of record. Registration number \_\_\_\_\_

☒ attorney or agent acting under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a). 26,065

John M. Sheehan  
Signature

John M. Sheehan  
Typed or printed name

(215) 299-6966  
Telephone number

1/28/04  
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☐ \*Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.191. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

02/05/2004 AWONDAF1 00000085 061440 10007328

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**CERTIFICATE OF MAILING (37 CFR 1.8a)**

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Date: 1/28/04

MARGARET CHURTY  
(type or print name of person mailing paper)

Margaret Churty  
Signature of person mailing paper

AMENDMENT TRANSMITTAL LETTER				ATTORNEY DOCKET NUMBER	
SERIAL NO.	FILING DATE	EXAMINER	GROUP ART UNIT		
10/007,328	11/8/2001	Neil S. Levy	1616		
INVENTION					
NOVEL PROCESS TO PREPARE MICROENCAPSULATED FORMULATIONS					
TO THE ASSISTANT COMMISSIONER FOR PATENTS:					
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated as shown below:					
CLAIMS AS AMENDED					
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3)	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5)* RATE	(6) ADDITIONAL FEE
TOTAL CLAIMS:	30	MINUS	** 31	0 x \$22.00 =	\$0
INDEPENDENT CLAIMS:	8	MINUS	*** 3	5 x \$86.00 =	\$430.00
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$	0.00
TOTAL ADDITIONAL FEE					\$430.00
*If the entry in column 2 is less than the entry in column 4, enter "0" in column 5.					
**If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter 20 in this space.					
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter 3 in this space.					
<input type="checkbox"/> No additional fee is required.					
<input type="checkbox"/> A check in the amount of \$ _____ is enclosed.					
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees under 37 CFR §§1.16 and 1.17 which may be required, or credit any overpayment to Deposit Account Number <u>06-1440</u> . A duplicate copy of this form is attached for accounting purposes.					

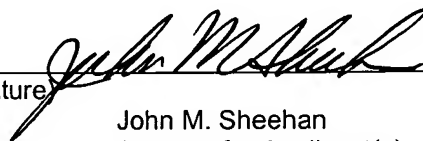
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TECH CENTER 1600/2900

Date: January 28, 2004

(Signature)

A handwritten signature in black ink, appearing to read "John M. Sheehan", is written over a horizontal line.

John M. Sheehan  
Attorney for Applicant(s)  
Reg. No. 26,065  
Phone: 215-299-6966

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